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Humor Rainbow, Inc.; Plentyoffish Media
ULC; and People Media, Inc.

Caption continued on next page.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE GOOGLE PLAY STORE ANTITRUST
LITIGATION

Case No. 3:21-md-02981-JD

THIS DOCUMENT RELATES TO:

**DECLARATION OF LAUREN A.
MOSKOWITZ IN SUPPORT OF
PLAINTIFFS' PROPOSED REMEDY RE
GOOGLE'S DESTRUCTION OF CHAT
EVIDENCE**

Epic Games, Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

Judge: Hon. James Donato

*In re Google Play Consumer Antitrust
Litigation*, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al.,
Case No. 3:21-cv-05227-JD

Match Group, LLC, et al, v. Google LLC, et al.,
Case No. 3:22-cv-02746-JD

DECLARATION OF LAUREN A. MOSKOWITZ

Case Nos. 3:21-md-02981-JD, 3:22-cv-02746-JD, 3:20-cv-05671-JD, 3:20-cv-05761-JD & 3:21-cv-05227-JD

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2 I, Lauren A. Moskowitz, declare as follows:

3 1. I am a Partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc.
4 (“Epic”) in the above-captioned actions. I am admitted to appear before this Court *pro hac vice*.

5 2. I have personal, first-hand knowledge of the facts set forth in this Declaration. If
6 called as a witness, I could and would competently testify to these facts under oath.

7 3. Attached hereto as **Exhibit 1** is a true and correct copy of an email thread bearing
8 the Bates number starting with GOOG-PLAY-000449614.

9 4. Attached hereto as **Exhibit 2** is a true and correct copy of a document bearing the
10 Bates number starting with GOOG-PLAY4-004258208.

11 5. Attached hereto as **Exhibit 3** is a true and correct copy of a document bearing the
12 Bates number starting with GOOG-PLAY-003332817.R.

13 6. Attached hereto as **Exhibit 4** is a true and correct copy of an email thread bearing
14 the Bates number starting with GOOG-PLAY-001877016.

15 7. Attached hereto as **Exhibit 5** is a true and correct copy of a document bearing the
16 Bates number starting with GOOG-PLAY-004488106.R.

17 8. Attached hereto as **Exhibit 6** is a true and correct copy of a document bearing the
18 Bates number starting with GOOG-RIOT-0000007.

19 9. Attached hereto as **Exhibit 7** is a true and correct copy of an email thread bearing
20 the Bates number starting with GOOG-PLAY-000928690.

21 10. Attached hereto as **Exhibit 8** is a true and correct copy of a document bearing the
22 Bates number starting with GOOG-PLAY-004538757.R.

23 11. Attached hereto as **Exhibit 9** is a true and correct copy of a Google Chat conversation
24 bearing the Bates number starting with GOOG-PLAY-003600814.

25 12. Attached hereto as **Exhibit 10** is a true and correct copy of a Google Chat
26 conversation bearing the Bates number starting with GOOG-PLAY-005601967.

27 13. Attached hereto as **Exhibit 11** is a true and correct copy of a document bearing the
28 Bates number starting with GOOG-PLAY-010849896.

1 14. Attached hereto as **Exhibit 12** is a true and correct copy of a document bearing the
2 Bates number starting with GOOG-PLAY-004123102.

3 15. Attached hereto as **Exhibit 13** is a true and correct copy of a Google Chat
4 conversation bearing the Bates number starting with GOOG-PLAY5-000457173.

5 16. Attached hereto as **Exhibit 14** is a true and correct copy of a Google Chat
6 conversation bearing the Bates number starting with GOOG-PLAY5-000500320.

7 17. Attached hereto as **Exhibit 15** is a true and correct copy of a document bearing the
8 Bates number starting with GOOG-PLAY-004146689.R.

9 18. Attached hereto as **Exhibit 16** is a true and correct copy of an email thread including
10 Brian Rocca and Zachary Jarrett et al titled “Search Term – Agreement.”

11 19. Attached hereto as **Exhibit 17** is a true and correct copy of a document bearing the
12 Bates number starting with GOOG-PLAY-010662562.

13 20. Attached hereto as **Exhibit 18** is a true and correct copy of a Google Chat
14 conversation bearing the Bates number starting with GOOG-PLAY5-000453593.

15 21. Attached hereto as **Exhibit 19** is a true and correct copy of excerpts from the
16 deposition transcript of Lawrence Koh, who was deposed in this litigation on December 9, 2021.

17 22. Attached hereto as **Exhibit 20** is a true and correct copy of excerpts from the
18 deposition transcript of Michael Marchak, who was deposed in this litigation on January 12, 2022.

19 23. Attached hereto as **Exhibit 21** is a true and correct copy of excerpts from the
20 deposition transcript of James Kolotouros, who was deposed in this litigation on February 2, 2022.

21 24. Attached hereto as **Exhibit 22** is a true and correct copy of a Google Chat
22 conversation bearing the Bates number starting with GOOG-PLAY5-000364738.

23 25. Attached hereto as **Exhibit 23** is a true and correct copy of a Google Chat
24 conversation bearing the Bates number starting with GOOG-PLAY5-000500584.

25 26. Attached hereto as **Exhibit 24** is a true and correct copy of a Google Chat
26 conversation bearing the Bates number starting with GOOG-PLAY5-000088223.

27 27. Attached hereto as **Exhibit 25** is a true and correct copy of excerpts from the
28 deposition transcript of Christopher Li, who was deposed in this litigation on May 25, 2022.

28. Attached hereto as **Exhibit 26** is a true and correct copy of excerpts from the deposition transcript of Donald Harrison, who was deposed in this litigation on August 23, 2022.

29. Attached hereto as **Exhibit 27** is a true and correct copy of excerpts from the deposition transcript of Purnima Kochikar, who was deposed in this litigation on August 31, 2022.

30. Attached hereto as **Exhibit 28** is a true and correct copy of a Google Chat conversation bearing the Bates number starting with GOOG-PLAY5-000484339.

31. Attached hereto as **Exhibit 29** is an excerpt of a true and correct copy of the January 12, 2023 transcript of proceedings from In re Evidentiary Hearing on Chat Preservation.

32. Attached hereto as **Exhibit 30** is a true and correct copy of excerpts from the deposition transcript of Sundar Pichai, who was deposed in this litigation on February 27, 2023.

33. Attached hereto as **Exhibit 31** is a true and correct copy of an excerpt of the trial transcript from the matter United States et al., vs. Google LLC, No. 1:20-cv-3010 (D.D.C), dated September 15, 2023.

34. Attached hereto as **Exhibit 32** is a true and correct copy of a webpage titled "Listening to Developer Feedback to Improve Google Play," dated September 28, 2020 and available at <https://android-developers.googleblog.com/2020/09/listening-to-developer-feedback-to.html#:~:text=Listening%20carefully%20to%20their%20feedback,Policies%20based%20on%20developer%20feedback>.

35. Attached hereto as **Exhibit 33** is a true and correct copy of a webpage titled “Boosting developer success on Google Play,” dated March 16, 2021 and available at <https://android-developers.googleblog.com/2021/03/boosting-dev-success.html>.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on September 21, 2023 in Short Hills, New Jersey.

/s/ Lauren A. Moskowitz
Lauren A. Moskowitz

1 **E-FILING ATTESTATION**

2 I, Bahadur S. Khan, am the ECF User whose ID and password are being used to file this
3 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories
4 identified above has concurred in this filing.

5
6 */s/ Bahadur S. Khan* _____
7 Bahadur S. Khan
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